

09/912692
RECEIVED
CENTRAL FAX CENTER

SCOTT & YALLERY-ARTHUR

7306 Georgia Avenue, N.W.

APR 29 2004

Washington, D.C. 20012

(202) 882-5770

(202) 722-0040

OFFICIAL

Date April 29, 2004 Page 1 of 20

SEND TO: U. S. Patent Office - Legal Instruments Examiner

FIRM: _____

FAX: (703) 872-9306 PHONE: (571) 272-1051

SENT BY: Nigel L. Scott, Esquire

SUBJECT: Response to Notice of Non-Compliant Amendment

COMMENTS: Attention Harold Smith

ORIGINAL WILL: ☒ Follow Via Mail
☐ Follow Via Messenger
☐ Follow Via Overnight

RECEIVED
MAY 05 2004
TC 1700

This fax is intended for the exclusive use of the addressee named above, and may contain legally privileged and confidential information. If you are not the intended recipient of this fax, you are hereby notified that any dissemination, distribution, or copying of this fax is strictly prohibited.

If you received this fax in error, please notify us immediately by telephone and return the original fax to us at the above address via the United States Postal Service. We will reimburse any costs you incur in notifying us and returning the fax to us.

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

APR 29 2004

OFFICIAL

In re: Patent Application of Edward T. Buford, III

Serial No: 09/912,692

Group Art Unit: 3747

Filed: 7/26/2001

Examiner: R. Chin

Commissioner of Patent and Trademarks
Washington, D.C. 20321

RECEIVED
MAY 05 2004
TC 1700

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This is in response to the Notice of Non-Compliant Amendment mailed March 29, 2004 in respect of the above-identified patent application.

In the underlying Office Action (copy enclosed), the Examiner rejected Claims 1 - 5 and Claim 8. There was no reference to additional claims. The Notice of Non-Compliant Amendment, at paragraph 4 A notes "A complete listing of all of the claims." Applicant, through counsel, asserts that there is an apparent disparity between the Examiner's claim rejection in the Office Action and the matters presented in the Notice of Non-Compliant Amendment. It is apparent that the Examiner and the LIE looked at different files in arriving at their respective actions. Accordingly, it is requested that the matter be clarified at the Office and counsel given an opportunity to respond to the office Action.

Additionally, it is requested that Applicant be afforded additional time to respond so that discrepancies between the Office Action and the Notice of Non-Compliant Amendment